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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\# **CNR No. DLHC010479562026**

\+ MAC.APP. 649/2026 & CM APPL. 68952/2026 CM APPL. 68953/2026 CM APPL. 68954/2026

DEEPESH @ DEEPESH SHARMA .....Appellant

Through: Mr. Deepak Jangra, Mr. Rachit Khandelwal, Ms. Mimansa Vashistha and Ms. Aarchi Sharma, Advs.

versus

VAIBHAV GUPTA & ORS. .....Respondent

Through:

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

O R D E R

% 05.10.2026

1. This appeal has been filed assailing order dated 17th May 2025, passed by the Motor Accident Claims Tribunal, Karkardooma Courts, Delhi [***MACT/Tribunal***], in *MACT Petition No. 273/2024*, whereby claim petition filed by appellant/claimant was dismissed on the ground of limitation, since the application filed under Section 5 of the Limitation Act, 1963, seeking condonation of delay was rejected [‘***impugned order***’].

2. The accident took place on 15th June 2023. However, the claim petition was filed in April, 2024. Therefore, *vide* impugned order, the Tribunal, relying upon the reintroduction of the limitation period under Section 166(3) of the Motor Vehicles Act, 1988, rejected the application seeking condonation of delay.

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3. The issue of limitation is pending determination before the Supreme Court, and certain interim directions have been passed by the Supreme Court, in this regard, in ***ICICI Lombard General Insurance Co. Ltd. v. Ayiti Navaneetha & Ors., SLP (C) No(s). 8412-8413/2023***, on 04th November 2025, wherein the Supreme Court has categorically stated as under:

> "*5. It is made clear that during the pendency of these petitions, the tribunal or the High Courts shall not dismiss the claim petitions on the ground of such petitions as barred by limitation as prescribed under sub-Section (3) or Section 166(3) of the Motor Vehicles Act, 1988.*"

4. In view of the aforesaid direction, there is no reason as to why the MACT has dismissed the claim petition.

5. Accordingly, the appeal is allowed.

6. The MACT is directed to re-hear the petition afresh, without taking into account the issue of limitation, in view of the directions passed by the Supreme Court.

7. List before the MACT on 13th October 2026.

8. Accordingly, the appeal is disposed of.

9. Pending applications, if any, are rendered infructuous.

10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 5, 2026/MK/ya

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